

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

OCT 26 2004

FILE

OFFICE OF  
MANAGING DIRECTOR

Eli Shuber, President  
Intercommunication American Systems, Inc.  
1935 Hollywood Blvd.  
Hollywood, FL 33020

Re: Intercommunication American Systems, Inc.  
Request for Deferral of FY 2004 Regulatory Fee  
Fee Control No. 00000RROG-04-076

Dear Mr. Shuber:

This is in response to your request dated August 4, 2004, filed on behalf of Intercommunication American Systems, Inc. (IAS) for a deferment of the fiscal year (FY) 2004 regulatory fee. Our records reflect that you have paid \$1,448.86 of the \$8,693.18 FY 2004 regulatory fee.

In your request, you state that "[d]ue to expenses in upgrading our business[,] we feel it is financially sound for us to propose . . . [a] payment plan." Under the payment plan, IAS would pay the regulatory fee in six monthly installments (beginning on August 19, 2004), with four payments in the amount of \$1,448.86 and two payments in the amount of \$1,448.87.

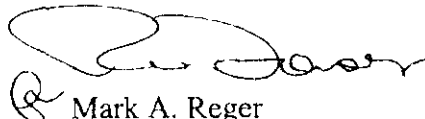
The Commission may waive, reduce, or defer regulatory fees only upon a showing of good cause and a finding that the public interest will be served thereby. *See* 47 U.S.C. §159(d); 47 C.F.R. §1.1166; *see also Implementation of Section 9 of the Communications Act, Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year, Report and Order*, 9 FCC Rcd 5333, 5344 (1994), *on recon.*, *Memorandum Opinion and Order*, 10 FCC Rcd 12,759, para. 12 (1995) (regulatory fees may be waived, deferred, or reduced on a case-by-case basis in extraordinary and compelling circumstances upon a clear showing that a waiver would override the public interest in reimbursing the Commission for its regulatory costs). The Commission will waive, reduce or defer its regulatory fees in those instances where a petitioner presents a compelling case of financial hardship. *See Implementation of Section 9 of the Communications Act*, 9 FCC Rcd 5333, 5346 (1994), *on recon.*, 10 FCC Rcd 12759 (1995). Regulatees can establish financial hardship by submitting

information such as a balance sheet and profit and loss statement (audited, if available), a cash flow projection . . . (with an explanation of how calculated), a list of their officers and their individual compensation, together with a list of their highest paid employees, other than officers, and the amount of their compensation, or similar information. 10 FCC Rcd at 12761-12762.

In the absence of such documentation, or other relevant showing, you have failed to establish a compelling case for relief in the instant request for deferment of the regulatory fee. Therefore, your request for deferral is denied. Payment of the remaining balance of the FY 2004 regulatory fee in the amount of \$7,244.32, plus a late charge penalty of \$1,811.08 for late payment of the remaining balance of the regulatory fee (i.e., \$7,244.32 times 25 percent) is now due.<sup>1</sup> The balance of the regulatory fee and the late charge penalty (i.e., \$9,055.40) should be filed with a Form FCC 159 (copy enclosed) within 30 days from the date of this letter. However, insofar as you may be relying on financial hardship, in lieu of payment, you may refile the request for relief together with appropriate supporting documentation and a request to defer further payment of the fee, within 30 days from the date of this letter.

If you have any questions concerning this matter, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark A. Reger  
Chief Financial Officer

Enclosure

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<sup>1</sup> The Communications Act of 1934, as amended, requires the Commission to assess a late charge penalty of 25 percent on any regulatory fee not paid in a timely manner. It is the obligation of the licensees responsible for regulatory fee payments to ensure that the Commission receives the fee payment no later than the final date on which regulatory fees are due for the year.

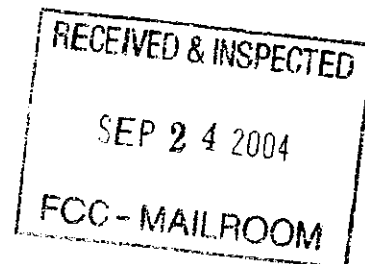
0409238340480007

September 20, 2004

ICS/IB SALAZAR  
PO BOX 1402  
850 AIRLINE DR  
UVALDE, TX 78801

RECEIVED FCC

SEP 24 P 8 37



F.C.C.  
MR. MARK A REGER  
CHIEF OF FINANCIAL OFFICE  
REVENUE & RECEIVABLE OPER  
445 12<sup>TH</sup> ST SW  
RM #1-B724  
WASHINGTON, D.C. 20554

RE: FRN# 0004301297  
Request to waive late fees for Facility Id: 29452

Dear Mr. Mark Reger,

This is a request to waive a late regulatory fee for  
Facility Id 29452.

Form 159 and payment was sent 8/17/04 by UPS 2<sup>nd</sup> Day Air to  
the appropriate courier address. This payment was guaranteed to arrive on 8/19/04  
but was not delivered till 9/20/04. UPS stated that the envelope did not arrive in  
in Pittsburgh until the morning of the 20<sup>th</sup>.

Enclosed is the UPS record that shows date and how payment was shipped and a  
letter from UPS explaining that we attempted to get this payment to you on time.

This fee has been paid and can be reimbursed and sent to the address above.

Please note, that a Regulatory fee was paid for a 2<sup>nd</sup> Facility Id (67303) at the  
same time. We have not received a penalty letter. Can you make sure that is  
waived at the same time.

Thank you so much for your consideration in this matter.  
Regret to hear about all the flooding there in your city.

Sincerely,

J.B. Salazar

*2 by letter  
Assign Regina  
30 by flicker  
10/1  
MHC*

NOV 10 2004

1821 Beaver Avenue  
Pittsburgh, PA 15233



RECEIVED FOR

SEP 20 2 6:37

UPS

September 20, 2004

Mrs. Debbie Salazar  
ICS  
850 Airline Drive  
Uvalde, TX 78801

Dear Mrs. Salazar:

Enclosed is a copy of the letter for JB Salazar in Pittsburgh, PA regarding their service problem.

We sincerely apologize for the inconvenience that you and your customer were caused.

Thank you for informing us of this situation and giving us the opportunity to express our regret to your customer and provide assurance that your company was not responsible for this error.

We value the trust you place in UPS, and look forward to the opportunity to serve you

Sincerely,

A handwritten signature in cursive script that reads "Donald C. Mueser".

Donald C. Mueser  
Sales Support Manager